

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

KELLY BRENNAN
Plaintiff

JURY TRIAL DEMANDED

Case No.

v.

GC SERVICES LIMITED PARTNERSHIP
Defendant

COMPLAINT

AND NOW, comes the Plaintiff, Kelly Brennan, by and through her attorney, Mark G. Moynihan, Esquire, and in support of this Complaint states and avers as follows:

1. Defendant, GC Services Limited Partnership, violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (“FDCPA”), and the Fair Credit Extension Uniformity Act, 73 P.S. § 2270.1 *et seq.* (“FCEUA”).

2. This Court has jurisdiction. 15 U.S.C. § 1692k(d); 28 U.S.C. § 1331, § 1367.

3. Plaintiff Kelly Brennan (“Brennan”) is a natural person who resides in the Commonwealth of Pennsylvania.

4. Plaintiff is a consumer within the FDCPA.

5. Defendant GC Services Limited Partnership (“GC”) is a business entity with offices in Houston, Texas.

6. GC acts as a debt collector as defined by § 1692a of the FDCPA because it regularly uses the mails and/or the telephone to collect, or attempt to collect, directly or indirectly, delinquent consumer debts.

7. On or about April 23, 2014, GC communicated with Brennan in an effort to collect a consumer account identified as being a USAA Savings Bank.

8. On June 5, 2014 at 1:42PM EST, via faxed letter, Brennan, through her counsel, informed GC that she was represented by counsel, disputed the debt, and requested that GC cease collection and provide verification of the debt with respect to the USAA Savings Bank account.

9. GC continued to collect directly from Brennan thereafter, by a letter dated June 18, 2014.

10. Brennan's counsel never terminated his representation of Brennan.

11. Brennan's counsel was never contacted by GC with regards to Brennan.

COUNT I – FAIR DEBT COLLECTION PRACTICES ACT

12. GC violated 15 U.S.C. § 1692c(a)(2) when they contacted a consumer knowing that she was represented by counsel and had requested no further collection efforts.

13. GC violated 15 U.S.C. § 1692d by contacting a consumer with the intent to harass, oppress, or abuse her in connection with the collection of a debt.

14. GC violated 15 U.S.C. § 1692f by using unfair or unconscionable means to collect or attempt to collect any debt.

COUNT II - FAIR CREDIT EXTENSION UNIFORMITY ACT

15. GC violated the FDCPA which constitutes an unfair or deceptive act under 73 P.S. § 2270.4(a).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Kelly Brennan respectfully prays that relief be granted as follows:

- a. That judgment be entered against the Defendant for \$1,000 statutory damages, pursuant to 15 U.S.C § 1692k, and additional damages pursuant to 73 P.S. § 2270;
- b. That the Court award costs and reasonable attorneys' fees, pursuant to 15 U.S.C § 1692k(a)(3); and
- c. That the Court grant such other and further relief as may be just and proper.

Respectfully submitted,

Dated: 10/01/2014

By: /s/ Mark G. Moynihan
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